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RECENT LEGAL LITERATURE

AMERICAN STATE REPORTS. Vols. 90, 91, and 92. Bancroft-Whitney Co., San Francisco, Cal., 1903.

The volumes above indicated have been received for review since the last review of numbers of this series. See 2 MICHIGAN LAW REVIEW 77. No new features in the editorial policy are observed in these. A number of cases are noticed in which there are dissenting opinions; which are also printed, but in small type.

Vol. 90. The following are the principal monographic notes in this volume: What Irregularities Will Avoid Elections, 46-92; When Official Bonds Become Binding, and What Irregularities will Relieve Sureties, 188-206; Cold Storage (the liability of cold storage companies for loss), 295-302; Part Owners of Vessels (the rights and liabilities inter se and as to third persons), 355-410; Attacks by Creditors on Conveyances by Husband and Wife, 497-556; Unintentional Homicide in the Commission of an Unlawful Act, 571-583; Injunction to Prevent Breach of Contract, 634-652.

Vol. 91. The following are the principle monographic notes in this volume: Admissibility of Evidence Given on Former Trial in Civil Cases, 192-208; Liability of Assignee of Bill of Lading with Draft Attached to Consignee for Failure of Title, Defect in Goods, or Failure of Consideration, 212-216; Justification in Slander and Libel, 285-309; Acts for Which Sureties on Official Bonds are Liable, 497-579; Agreements for a Higher or Exorbitant Rate of Interest after Default, 584-589; Right of Interpleader, 593-614; Conflict of Laws as to Measure of Damages, 714-743; Cotenants in Mines, 851-889.

Vol. 92. The following are the principal monographic notes in this volume: Identity of Offenses in a Plea of Former Jeopardy, 89-159; Liability of Husband for Torts of Wife, 164-170; Homicide—Killing of Adulterer, 214-220; Liability to Third Persons of Lessors of Real or Personal Property, 499-559; Sales Under Powers in Mortgages and Trust Deeds, 573-598; When a Widow is by Will Required to Elect, 695-705; Merger of Judgment in Judgment, 778-781; Release of One Joint Tort-Ffeasor as Affecting the Liability of the Others, 872-888.

The general features of this series have been commented on in this magazine before (see Vol. I, p. 155-156) to such an extent that further remarks may seem unnecessary. But a bit of personal experience may be pardoned. From an extended use of these volumes, the writer has found the notes more precise and reliable than any found elsewhere. If a note is found appended to a case the reader may be assured that it is on some of the main features of the decision to which it is appended; and not, as is too often the case with annotations, on some point outside of the case, or vaguely suggested by it, which happened to be of interest to the editor, or a rambling discussion on every question but the one decided in the case, if it had even the remotest relation to it. However, the most delightful feature of the use of this series is one which is peculiar to the last ten volumes of it. There is no other set of reports heretofore published, so far as the writer is aware, which the law writer or brief maker can use without rummaging around among tables of cases,

or consulting other reports of the same case, to find something about it which he cannot learn from the set he is using. If he uses the official reports, those published by the West Publishing Co., or the L. R. A., and is not sure that the judge or other person who is to use his brief or book will have at hand the same set of reports as he uses, he must consult all the other reports to find the volume and page where the case is reported in them, and the page in the case where his point is made. But with this set he need look no further; there are the volume and page of the official reports and of West's reports where the case will be found, and the page of the official reports on which any sentence in the opinion is printed. The saving of labor thus made can scarcely be estimated.

The writer has noticed but one point in which these reports lead the reader to error. They follow the official reports as to the date of the decision, without naming the day or month; and in many of the official reports the date of the decision is given only by naming the month in which the term began in which the case was set for hearing; so that these reports may give a case as "October Term, 1900," when the opinion was in fact filed August 10th, 1901. The date of filing the opinion is always given in the West system, and in the L. R. A.

JOHN R. ROOD

LEGAL MASTERPIECES—SPECIMENS OF ARGUMENTATION AND EXPOSITION BY EMINENT LAWYERS. Edited by Van Vechten Veeder, Two Volumes, pp. xxiv, 1324. Keefe-Davidson Company, St. Paul, Minn., 1903.

The specimens of argumentation and exposition, dressed in comfortable and becoming paper and print, to which we are introduced in these two octavo volumes, have been selected by the editor from the arguments and decisions of twenty celebrated English and American Lawyers and Judges, commencing with Lord Mansfield, born in 1704, and ending with James C. Carter, born 1827. The period covered is short, one hundred and twenty-five years, and the names of the elect, few. It goes without saying that the editor must necessarily have failed to give any specimens whatever of a host of men, who at the bar or on the bench, have adorned the profession by their learning and ability. But to say that many other volumes might be filled with other selections, nearly, if not quite as good as these, is not to say anything in disparagement of those chosen. The selections have been made with good judgment and nothing has been taken, that one wishes had been omitted.

Each argument of opinion is preceded by a short biographical sketch of the author and a very careful analysis of his characteristic methods and peculiarities in presenting a case, which made for his success and fame. This part of the work displays literary tact and ability. The editor never fails to say something which gives the reader at least a flash-light picture of his man. In addition, each selection, be it argument or judicial opinion, is introduced by a sufficiently full statement of the facts and circumstances of its delivery, to enable anyone to read and study it with interest and profit.

In the short biographical sketch of Thomas Erskine we have Erskine's statement of how two chance events, by admirable interference, to use a football expression, enabled him to cross the entire field between hope and